

ORIGINAL

FILED

March 3 2010

*Ed Smith*  
CLERK OF THE SUPREME COURT  
STATE OF MONTANA

FILED

MAR 03 2010

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CLERK OF THE SUPREME COURT  
STATE OF MONTANA

**IN THE SUPREME COURT OF THE STATE OF MONTANA**

**Supreme Court Cause No. DA-09-0682**

JEANETTE DIAZ, LEAH HOFFMANN-  
BERNHARDT, RACHEL LAUDON,  
individually and on behalf of others  
similarly situated,  
Appellants.

vs.

BLUE CROSS AND BLUE SHIELD OF  
MONTANA, NEW WEST HEALTH  
SERVICES, MONTANA COMPREHENSIVE  
HEALTH ASSOCIATION, STATE OF  
MONTANA, AND JOHN DOES 1-100,  
Appellees.

**MEDIATOR'S REPORT**

I, LEANNE M. SCHRAUDNER, mediator in this cause state as follows:

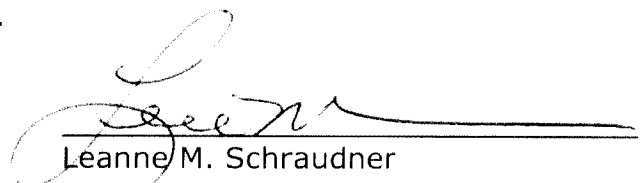
Pursuant to Court Order, a Mediation was held on February 26, 2010. In attendance were the counsel of record, Appellant and Appellees.

At mediation the parties:

  X   Were unable to reach an agreement.

UNDER penalty of perjury, I hereby declare that the foregoing is true and correct.

DATED this 1<sup>st</sup> day of March, 2010.

  
Leanne M. Schraudner

**CERTIFICATE OF SERVICE**


I hereby certify that on the 1<sup>st</sup> day of March, 2010, a true and correct copy of the above and foregoing document was duly served upon the following named below by depositing in the United States Mail, postage prepaid, addressed as follows:

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Sarah Stone, Secretary